

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

RETIRED PARTNERS OF COUDERT BROTHERS
TRUST,

No. 07 CIV. 5639 (GEL)

Plaintiff,
-against-

ERIC P. DELTOUR, LANCE MILLER, DARRELL
PRESCOTT, CLYDE RANKIN, CHRISTOPHER
STEPHENS, JIGZHOU TAO, EDWARD TILLINGHAST,
ANTHONY WILLIAMS, ANDREW HEDDEN,
FREDERICK KONTA, BAKER & MCKENZIE LLP,
ORRICK HERRINGTON & SUTCLIFFE, DLA PIPER,
and DECHERT LLP,

Defendants.

NOTICE OF MOTION FOR PRO HAC VICE ADMISSION

PLEASE TAKE NOTICE that the upon the Affidavit of William G. Kelly, Esq. sworn to on July 19, 2007, and the supporting Affidavit of John E. Joiner, Esq., sworn to on July 18, 2007, Defendant DLA PIPER, by and through its attorneys, Goldberg Segalla, LLP, hereby move this Honorable Court, for an Order pursuant to Local Rule 1.3 (c), for the admission to this Court of John E. Joiner, *pro hac vice*, and for such other and further relief as the Court may deem just and proper.

Dated: White Plains, New York
July 19, 2007

Respectfully submitted,

By:

William G. Kelly, Esq.
GOLDBERG SEGALLA LLP

Attorneys for Defendants

DLA PIPER

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GS File No: 16913.0002

TO: *See Attached Service List*

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

RETIRED PARTNERS OF COUDERT BROTHERS
TRUST,

No. 07 CIV. 5639 (GEL)

Plaintiff,

**AFFIDAVIT
IN SUPPORT**

-against-

ERIC P. DELTOUR, LANCE MILLER, DARRELL
PRESCOTT, CLYDE RANKIN, CHRISTOPHER
STEPHENS, JIGZHOU TAO, EDWARD
TILLINGHAST, ANTHONY WILLIAMS, ANDREW
HEDDEN, FREDERICK KONTA, BAKER &
MCKENZIE LLP, ORRICK HERRINGTON &
SUTCLIFFE, DLA PIPER, and DECHERT LLP,

Defendants.

WILLIAM G. KELLY, ESQ., an attorney duly admitted to practice law before the Court
of the State of New York hereby affirms the following under the penalties of perjury:

1. I am a partner with the law firm of GOLDBERG SEGALLA LLP, attorneys for
Defendant DLA PIPER, and as such I am fully familiar with the facts and circumstances of the
within action.

2. This affidavit is made pursuant to Local Rule 1.3 (c), in support of the application
for admission *pro hac vice* to the United States District Court for the Southern District of New
York, of petitioner, John E. Joiner, Esq., for the purposes of representing defendant DLA PIPER.

3. I have been a member of good standing of the bar of the State of New York since
February 1978, and the United States District Court for the Southern District of New York since
April 1978.

4. John E. Joiner is a member in good standing of the Bar of the District of Columbia. He has been admitted to State and Federal Courts in the District of Columbia, the State of Colorado, as well as the US Court of Appeals for the Tenth Circuit and the United States Supreme Court.

5. The Affidavit of John E. Joiner is annexed hereto as **Exhibit "A"** and submitted in support of the application for his admission *pro hac vice*.

6. Attorney John E. Joiner possesses the character, fitness and moral qualifications necessary to practice law before this Court.

7. Defendant DLA PIPER seeks admission *pro hac vice* of attorney John E. Joiner to assist New York counsel, Goldberg Segalla LLP, in its defense of this action during the pendency of the action before this Court.

WHEREFORE, Defendant DLA PIPER requests an Order granting attorney John E. Joiner admission *pro hac vice*.

Dated: White Plains, New York
July 19, 2007



William G. Kelly

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW YORK
SOUTHERN DISTRICT

RETIRED PARTNERS OF COUDERT BROTHERS
TRUST,

No. 07 CIV. 5639 (GEL)

Plaintiff,
-against-

{PROPOSED} ORDER

ERIC P. DELTOUR, LANCE MILLER, DARRELL
PRESCOTT, CLYDE RANKIN, CHRISTOPHER
STEPHENS, JIGZHOU TAO, EDWARD TILLINGHAST,
ANTHONY WILLIAMS, ANDREW HEDDEN,
FREDERICK KONTA, BAKER & MCKENZIE LLP,
ORRICK HERRINGTON & SUTCLIFFE, DLA PIPER,
and DECHERT LLP,

Defendants.

Defendant DLA PIPER, having moved this Court for an Order, pursuant to Local Rule 1.3 (c) for admission of John E. Joiner to this Court, *pro hac vice*, and said motion having been submitted for the Court's consideration,

NOW, upon reading and filing the Notice of Motion of Defendant DLA PIPER dated July 19, 2007, the Affidavit of William G. Kelly, Esq., sworn to on the 19th day of July 2007, the Affidavit of John E. Joiner, Esq., sworn to on the 18th day of July 2007, attached as exhibits thereto in support of said motion, and there being no opposition thereto, it is hereby

ORDERED that the motion of Defendant DLA PIPER is hereby GRANTED; and it is further

ORDERED that John E. Joiner, Esq. is granted admission *pro hac vice* to represent Defendant DLA PIPER before this Court during the pendency of this matter.

GRANTED:

HON. _____, J.S.C.